

April 7, 2004 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

04AN0212

Michael R. Zacharias

Clover Hill Magisterial District
321 Monath Road

REQUEST: An 8.9 foot Variance to the forty (40) foot front yard setback requirement for a dwelling addition in an Agricultural (A) District.

RECOMMENDATION

Recommend denial of this Variance for the following reasons:

- A. As required by the Zoning Ordinance, there are no conditions upon which the request is based that are unique to the property and are not generally applicable to other properties in the area.
- B. Variance is not in accord with the Zoning Ordinance.

GENERAL INFORMATION

Location:

Property is known as 321 Monath Road. Tax ID 746-702-5911 (Sheet 6).

Existing Zoning:

Agricultural (A)

Size:

0.4 acre

Existing Land Use:

Residential

Adjacent Zoning and Land Use:

North - A; Residential
South - A; Residential
East - A; Residential
West - A; Residential

Utilities:

Private well and septic system

Health:

The applicant must apply at the Chesterfield Health Department for a septic/drainfield expansion permit.

Transportation:

This request will not cause a sight distance problem along Monath Road.

General Plan:

(Northern Area Land Use and Transportation Plan)

Residential
(1.51 to 4.0 units per acre)

DISCUSSION

The applicant is proposing to construct a dwelling addition 31.6 feet from the front property line (see attached site plan). The Zoning Ordinance requires a forty (40) foot setback requirement. Therefore, the applicant requests an 8.9 foot Variance. (NOTE: the applicant's graphic does not reflect the applicant's request).

The applicant provides the following justification in support of this request:

We are hoping to put an addition on our existing home, which lies on a private road, to increase living space. We are looking to start a family and we are very attached to the neighborhood and want to remain in this community. We have been working with our architect (Duggins & Assoc.) for little over a year to design an addition that fits our needs and blends with the existing structure. As the existing structure is only four (4) inches from the forty (40) foot front yard setback, it makes it difficult for a natural addition to the structure. Unfortunately, a small two (2) bedroom home does not allow growth of a family.

We grew up in this area and like the local schools and the proximity of them. In order to obtain the space we need for growth and maintain a decent backyard, the current layout is the most efficient. If we have to change our floor plan, we would not only incur considerable additional architect fees, but also lose a workable floor plan and symmetry with the existing structure.

Staff has reviewed the attached site plan and the applicant's proposal. Staff finds that there are no extraordinary circumstances, conditions or physical features that would prohibit adherence to the required setbacks. Therefore, the test for Variances as specified in the Zoning Ordinance (Section 19-21 (b)) has not been met. In addition, it is staff's opinion that an alternative exists to the request. Staff believes the proposed addition could be redesigned or relocated on the property where it would meet setbacks and eliminate the need for this request.

Because an alternative exists and the applicant has not provided evidence of extraordinary conditions, staff does not support this request.

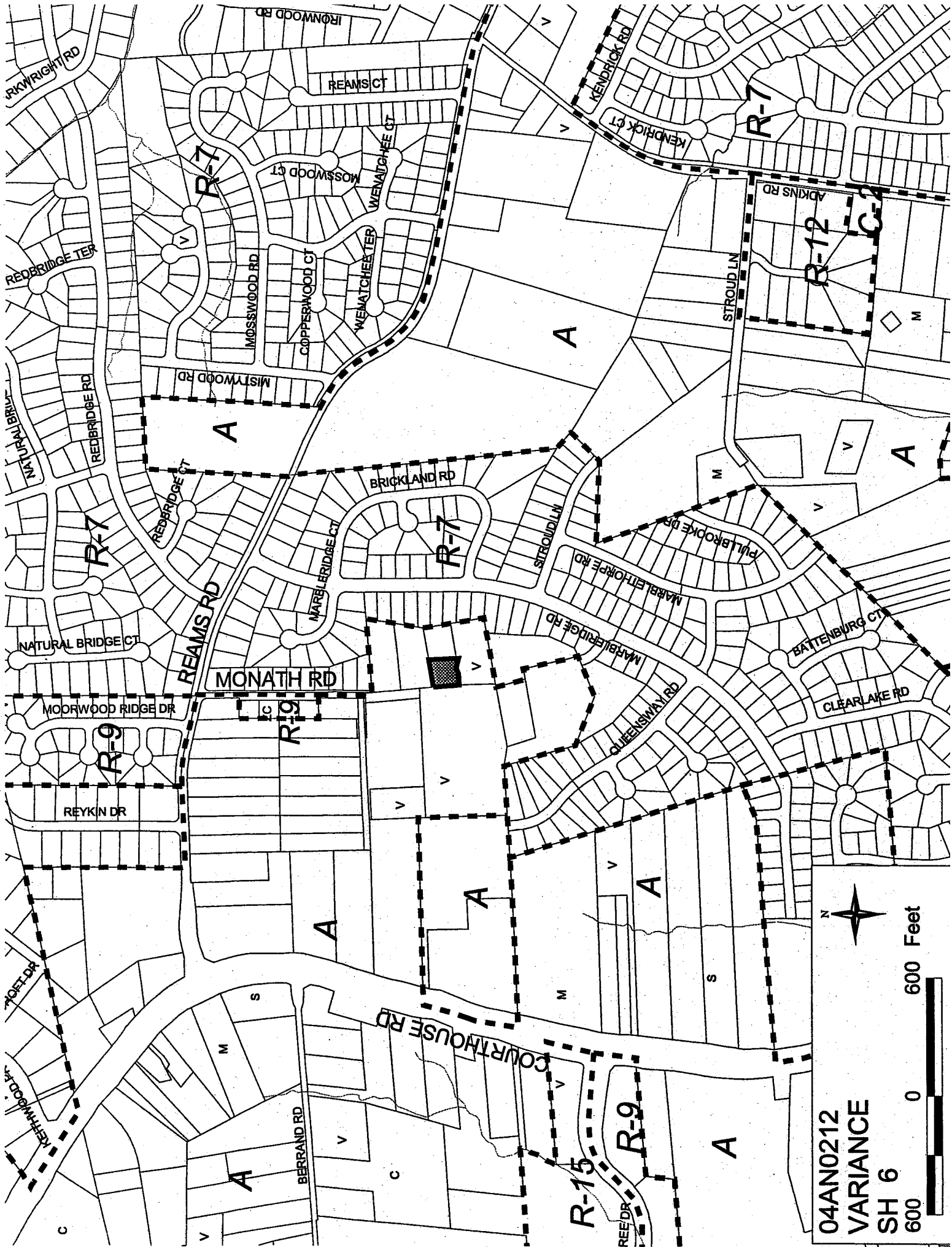
Should the Board of Zoning Appeals approve this request, it should be applicable to this addition only. Other additions could be constructed to this reduced setback. Therefore, staff recommends if this request is approved, it be subject to the following condition:

CONDITION

This Variance shall be for the proposed dwelling addition as depicted on the plat attached to staff's report.

NOTE:

A single-family dwelling can only contain one (1) kitchen facility.



04AN0212
VARIANCE
SH 6
600



600 Feet

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